

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 21, 2018

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Tonya Marie Stewart

Case Number: 0980 2:13CR00096-RHW-3

Address of Offender: Unknown

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: March 13, 2014

Original Offense: Conspiracy to Commit Bank Fraud, 18 U.S.C. § 1349

Original Sentence: Prison - 27 Months;
TSR - 3 Years

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Timothy J. Ohms

Date Supervision Commenced: July 17, 2015

Defense Attorney: Federal Defender's Office

Date Supervision Expires: July 16, 2018

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 08/16/2017, and 04/18/2018.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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	Standard Condition # 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
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Supporting Evidence: On July 21, 2015, Ms. Tonya Stewart signed her conditions relative to case number 2:13CR00096-RHW-3, indicating she understood all conditions as ordered by the Court. Specifically, Ms. Stewart was made aware she was required to follow all directives of her assigned U.S. probation officer, and to answer all inquiries in a truthful manner.

Ms. Stewart is alleged to have violated standard condition number 3, by failing to report to the U.S. Probation Office as directed prior to 1 p.m., on May 15, 2018.

Specifically, on both May 14, and May 15, 2018, voice mails were left for Ms. Stewart directing her to report to the U.S. Probation Office on May 15, 2018, by 1 p.m. for random urinalysis testing, prior to her initial Court appearance, previously scheduled for May 15, 2018, at 1:30 p.m. Ms. Stewart subsequently failed to report as directed, and failed to appear for her initial appearance before The Honorable Judge Rodgers, U.S. Magistrate Judge, on the aforementioned date. As a result, a warrant was issued for the arrest of Ms. Stewart.

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Standard Condition # 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: On July 21, 2015, Ms. Tonya Stewart signed her conditions relative to case number 2:13CR00096-RHW-3, indicating she understood all conditions as ordered by the Court. Specifically, Ms. Stewart was made aware that she was required to notify the U.S. Probation Office prior to any change in residence, or immediately thereafter as soon as allowable in the case of an emergency.

Ms. Stewart is alleged to have violated standard condition number 6, by residing at another location, other than that approved by the U.S. Probation Office, without providing notification to the U.S. Probation Office as required.

Specifically, on May 14, and May 15, 2018, voice mails were left for Ms. Stewart directing her to report to the U.S. Probation Office on May 15, 2018, by 1 p.m. for urinalysis testing, prior to her initial appearance before the Court, previously scheduled for May 15, 2018, at 1:30 p.m. Ms. Stewart's sponsor was additionally contacted on May 15, 2018, and indicated Ms. Stewart had not stayed at the residence since this officer's last attempted home contact with Ms. Stewart, previously occurring on May 10, 2018. The contact indicated she had received a text message from the client on "Wednesday or Thursday" of last week, with the client indicating her phone did not work until she "got closer to town," and stating she would be home soon. The contact indicated she has not seen or heard from the client since the aforementioned received a text message and was unaware of where Ms. Stewart was currently residing. As a result, Ms. Stewart's current location is unknown to the U.S. Probation Office.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 08/16/2017, and 04/18/2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 16, 2018

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

5/21/2018

Date